

MAORI LANGUAGE STRATEGY CONSULTATION

Human Rights Commission Submission to Te Puni Kōkiri



28 February 2014

The New Zealand Human Rights Commission (“Commission”) welcomes the opportunity to make a submission on the proposed Māori Language Strategy (“consultation document”).

1. Introduction

1.1 Contemporary institutions including Māori educational institutions and Māori radio and television contribute to the revitalisation of Maori language and culture today. However, currently there is a real fear for the survival of te reo Maori. There is a decline in Māori children attending Kohanga Reo and very low numbers attending Kura Kaupapa. The New Zealand government has acted positively in many ways but the type of support and adequacy of funding for language initiatives has not always been appropriate or secure.

1.2 In its 2013 report, the UN Committee on the Elimination of Racial Discrimination (CERD) raised concerns about the erosion of Māori language and called on the Government to provide opportunities for all New Zealanders to develop the ability to communicate competently in both English and te reo Māori. Concerns about the future of Māori language were also raised during New Zealand’s Universal Periodic Review (UPR), with members of the UN Human Rights Council urging the New Zealand Government to expedite the development of a new strategy for protecting and promoting te reo Māori.

1.3 It is therefore timely that the Government is consulting on proposals for a new Māori Language Strategy.

1.4 In July 2011, the Wai 262 report, known as “Ko Aotearoa Tēnei” (This is Aotearoa) was finally published. The report makes specific recommendations relating to te reo Māori. The report noted that ‘there has been a failure of partnership, with Māori lacking meaningful input into (let alone control of) the key decisions being made about their own language’.

1.5 The Commission therefore welcomes the approach in the consultation document which “will recognise that the Māori language is a taonga of iwi and Māori people and that iwi are kaitiaki of the Māori language on behalf of their people...”¹

¹ Te Puni Kōkiri, *Developing a New Māori Language Strategy* (2013), at 10.

2. The Right to Language

2.1 In 2008, the New Zealand representative at the United Nations General Assembly recognised the link between te reo Māori and the well-being of Māori. She stated that the Government agreed with Māori, “that growth in use of the indigenous language contributes to the wellbeing of Maori, both individually and as a community.”² Two years later, the New Zealand Government expressed its support for the United Nations Declaration on the Rights of Indigenous Peoples (“UNDRIP”).

2.2 Under Article two of the Treaty of Waitangi, the Crown promised to protect taonga, and the authority of rangatira in regards to taonga was affirmed. The UNDRIP further articulates these rights and provides minimum standards for the enjoyment of these rights.

2.3 Article 13 of UNDRIP states that indigenous peoples “have the right to revitalize, use, develop and transmit to future generations their...languages”, and that States “shall take effective measures to ensure that this right is protected”. In other words, while indigenous peoples have a right to their language, government has a corresponding duty to protect this right. This means that States and indigenous peoples must work in partnership to promote and protect language.

3. Effective promotion and protection of te reo Māori

3.1 Drawing on both the Treaty of Waitangi and UNDRIP, the Commission believes that the effective promotion and protection of te reo Māori requires four components:

- a clear strategy agreed between indigenous peoples and the State;
- Iwi commitment and action;
- adequate state financial support and a legislative and institutional framework; and
- wider community acceptance and recognition of the right to language.

3.2 The Commission would welcome the entrenchment of these principles into the proposed Māori Language Strategy.

4. Conclusion

4.1 The Commission appreciates the opportunity to make this submission and would welcome the opportunity to engage further with Te Puni Kokiri as it narrows down the options to a preferred model, and to provide more detailed advice on the extent to which the preferred model is human rights compliant.

² Statement by Ms Nicola Hill, Representative of New Zealand, 20 October 2008 at UNGA Third Committee, Item 64 Indigenous Issues.

4.2 If you would like to discuss any aspect of this submission further please contact